

THE DRAIN CODE OF 1956 (EXCERPT)
Act 40 of 1956

280.105 Order designating intercounty drainage district; contents, notice of filing, copies furnished commissioners; amendment of name or number of drain; costs.

Sec. 105. The chairman of the drainage board shall thereupon prepare an order designating a drainage district, giving it a name or number and describe therein the drainage district by its boundaries of streets and highways or tracts or parcels of land or by a description of all tracts or parcels of land included therein and the counties, townships, cities, villages and state trunk line highways including therein all highways, townships, counties, cities and villages, which would be benefited by the construction of such drain and would be liable to an assessment therefor; also a description of the drain according to the plans and specifications prepared by the surveyor or engineer and determined by the drainage board, showing the beginning, route, terminus, type of construction and the estimated cost of the construction. Notice of filing of the order shall be given by the state director of agriculture by publishing a notice in a newspaper in each county affected, once in each week for 2 successive weeks, which notice shall give a general description of the route of the drain and of the drainage district as shown by the order. A copy of the order shall within 10 days be filed by the state director of agriculture in the office of the county drain commissioner of each county in which lie lands included in the district.

At any time after the order designating an intercounty drainage district, giving it a name or number, has been filed in the offices of the county drain commissioners of the counties within the district, the order may be amended as to the name or number of the drain by a written request of a drain commissioner of 1 of the counties traversed by the drain, which request shall state the then present name or number of the drain and the change to be made in the name or number. Upon filing of the request, the drain commissioner shall mail a copy of the request, to the state director of agriculture and also to the drain commissioner of each county in which lie lands liable for assessments for the drain. The state director of agriculture shall call a meeting of the drainage board and if, in the opinion of the drainage board, it is found advisable to change the name or number of the drain, they shall file an order designating such change. The drainage board shall also designate the number of signs to be posted upon the drain as they may deem advisable for public notice of the new name or number. Copies of the order changing the name or number of the drain shall be filed with the drain commissioner and the county treasurer of each county liable for assessments of such drain. If the commissioners of the counties affected cannot agree as to the apportionment of costs for laying out a drainage district, the director of agriculture or any deputy appointed by him shall apportion the costs and the counties affected shall pay the same as provided in section 302 of this act.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 1961, Act 212, Imd. Eff. June 6, 1961.

Popular name: Act 40